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In the Supreme Court of the United States

OCTOBER TERM, 1954

UNITED GAS PIPE LINE COMPANY, PETITIONER

v.

MOBILE GAS SERVICE CORPORATION AND FEDERAL POWER COMMISSION

MEMORANDUM FOR THE FEDERAL POWER COMMISSION

SIMON E. SOBELOFF,
Solicitor General, Department of Justice,
Washington 25, D. C.

WILLARD W. GATCHELL,
General Counsel, Federal Power Commission,
Washington 25, D. C.

In the Supreme Court of the United States

OCTOBER TERM, 1954

No. 436

UNITED GAS PIPE LINE COMPANY, PETITIONER

v.

MOBILE GAS SERVICE CORPORATION AND FEDERAL POWER COMMISSION

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

MEMORANDUM FOR THE FEDERAL POWER COMMISSION

The petition for a writ of certiorari in this case seeks to bring before this Court for review the decision of the Court of Appeals for the Third Circuit, holding that the Natural Gas Act does not authorize the Federal Power Commission to permit petitioner to increase its rates for the sale of natural gas for resale for industrial use prior to a determination by the Commission, after hearing, that petitioner's existing contract rate for such sales to Mobile is unreasonable.

This decision of the Court of Appeals is, we believe, contrary to the clear language of the Natural Gas Act as well as the Commission's

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